

# Constitutional Foundations

## Day 1

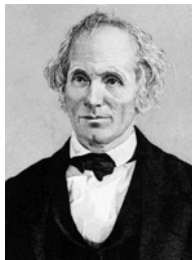
Entrance task: Pick up a homework packet

Today: Enlightenment influences on the  
American Revolution

Homework: Textbook Ch. 3-4

Questions on p. 2 in homework packet

John Locke



Montesquieu

Rousseau

Voltaire



# Documents

**Declaration of Independence**  
**Preamble of the Constitution**  
**Bill of Rights**



## Constitution

- 1. Article 1 = Legislative branch**
- 2. Article 2 = Executive branch**
- 3. Article 3 = Judicial branch**

## Enlightenment Influences in the Declaration of Independence, Preamble, and Bill of Rights

Read through the documents in the reading packet (p. 2-6) and complete the chart on Enlightenment thinkers Locke, Montesquieu, Voltaire and Rousseau on p. 7 in your packet

## 0 - Ch. 4 Complete.notebook

Thinker	Ideas About Government	Documents he Influenced	Quote of the Best Example
John Locke	<i>Believed that government should be formed only with the approval of the people and that government had a responsibility to protect life, liberty and property of the people. If the government did not uphold these responsibilities, then the people had the right to replace the government. This idea was referred to as the Social Contract.</i>	<b>Packet p. 7</b>	
Baron de Montesquieu	<i>Believed that a government should be separated into three branches to prevent one individual or group from gaining too much power; "Separation of Powers"</i>		
Voltaire	<i>Believed that all people should be given freedom of religion and speech.</i>		
Jean Jacques Rousseau	<i>Believed in a direct democracy where people would choose their leaders. He also believed that sometimes people had to give up some of their freedom in favor of the common good.</i>		

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Baron de Montesquieu	<i>Believed that a government should be separated into three branches to prevent one individual or group from gaining too much power; "Separation of Powers"</i>	<b>Declaration of Independence</b> <b>US Constitution</b> <b>Bill of Rights</b>	<b>criticism of England</b> <b>3 branches</b> <b>#10 - State powers</b>
Voltaire	<i>Believed that all people should be given freedom of religion and speech.</i>	<b>Bill of Rights</b>	<b>#1 - speech, press, religion</b> <b>#2 - bear arms</b>
Jean Jacques Rousseau	<i>Believed in a direct democracy where people would choose their leaders. He also believed that sometimes people had to give up some of their freedom in favor of the common good.</i>	<b>Declaration of Independence</b> <b>Preamble</b>	<b>"all men are created equal"</b> <b>"in order to form a more perfect union"</b>

## 0 - Ch. 4 Complete.notebook

Locke	Government for people – <b>Am. Revolution</b> Natural rights- life, liberty, property — <b>Declaration of Independence</b>
Voltaire	Tolerance, reason, freedom of religion and speech – <b>Bill of Rights</b>
Montesquieu	Separation of Powers -- <b>Constitution</b>
Rousseau	Religious Freedom -- <b>Bill of Rights</b>

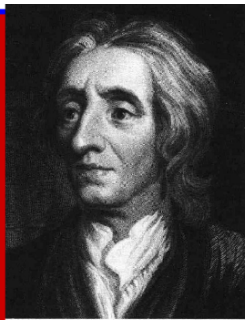
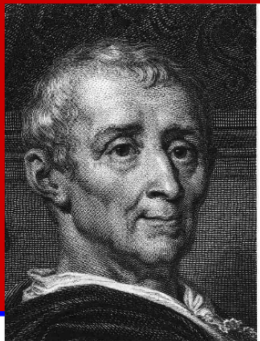


- English philosopher
- New ideas about rights of people and their relationship to ruler
- Wrote that government was created for the people
- If rules did not protect the rights, then people had right to get new government
- American Revolution resulted from this idea



John Locke







Separation Of Power

Checks And Balances

←

Montesquieu, in his 1748 *Spirit of the Laws*, expanded on Locke adding a judiciary

***"I may disagree with what you say, but I will defend till death your right to say it."* Voltaire**



Freedom of Religion

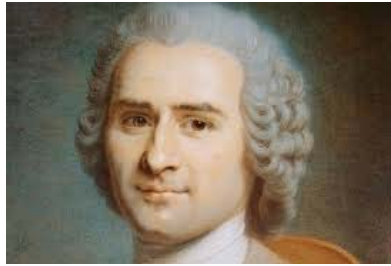
Civil Rights

Freedom of Speech

←

## Rousseau

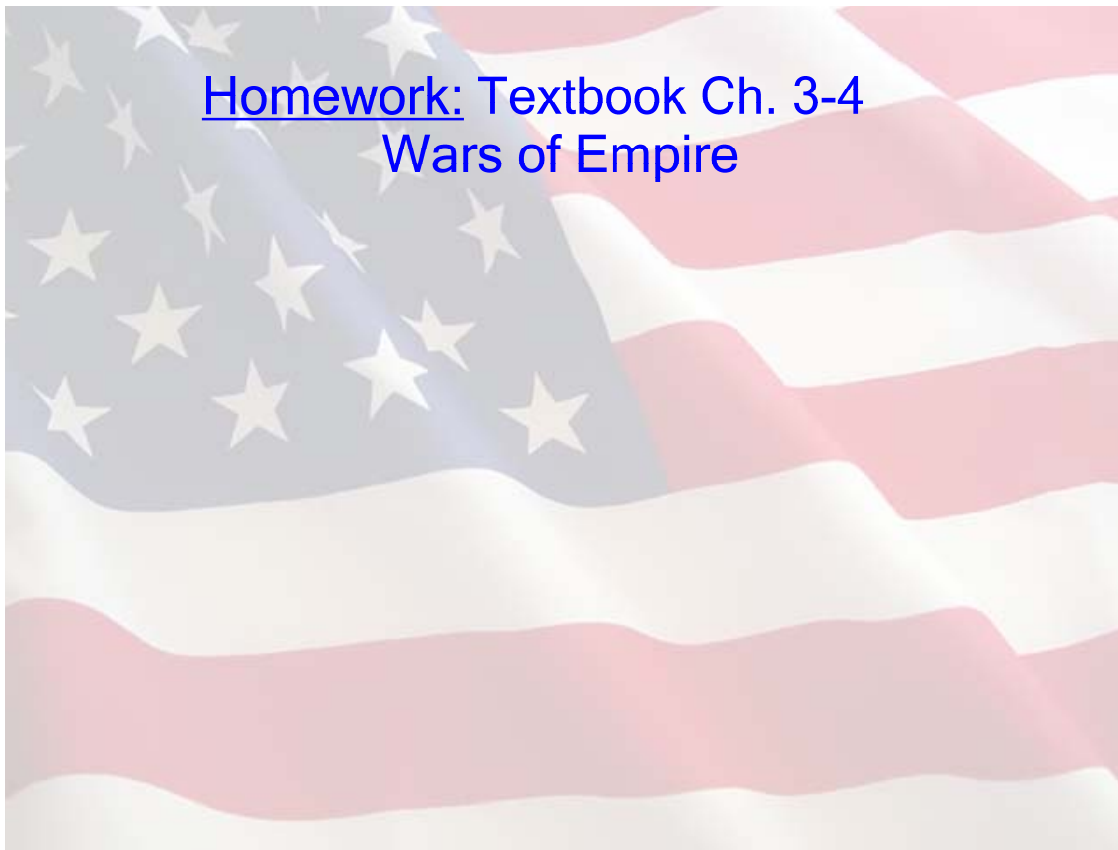
"Man is born free but everywhere in chains."



Believed man, in his natural state, was entirely free and virtuous. Society corrupted man.



Homework: Textbook Ch. 3-4  
Wars of Empire



# Constitutional Foundations

## Day 2

Entrance task: Review homework for quiz

Today: Wars of Empire

Homework: Ch. 4-1, reading and questions

Causes of the Revolution

*Fake*  
**QUIZ**

1. In the period before 1754, who treated the Native Americans better: the British or the French?
2. What future American president was responsible for sparking the French and Indian War in 1754?
3. What treaty ended the French and Indian War in 1763?
4. What was the name of Ben Franklin's plan to unite the colonies under British rule and to cooperate with one another?



## The Road to Independence

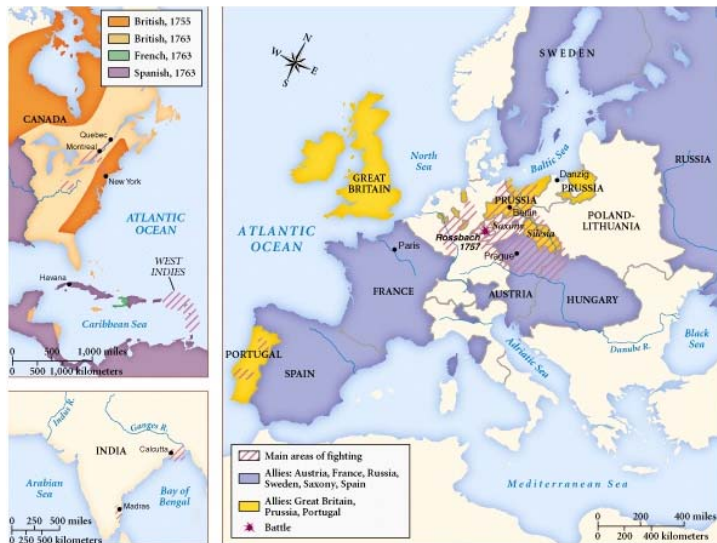
### French & Indian War (1754-1763)

- \* France & Native Americans against the British and American colonists over control of eastern North America.
- \* British had built settlements along coast as French developed trade inland with natives.
- \* British and French battled over lands in both Europe and North America

French & Indian War  
(misnamed!) in America

Seven Years' War  
in Europe

What effect might this  
global war have on France  
and Britain?



## Treaty of Paris 1763

- \* Ended the war
- \* France ceded Canada and lands east of the Mississippi to Britain



## Pontiac's Rebellion 1763

With the French defeated and Canada lost to the British, Native Indians in the Great Lakes region rebelled against the British in the hope of drawing the French back into North America.

Every British fort west of the Appalachians except Fort Pitt and Fort Detroit were destroyed.

Britain agreed to restrain settlers east of the Appalachian Mountains.





## Proclamation of 1763

Details	How it led to crisis between colonies and Britain
Issued by King George, closed the region west of the Appalachian Mts. to all settlement by colonists and put the area under the control of the British military	Colonists ignored the British and continued to move westward

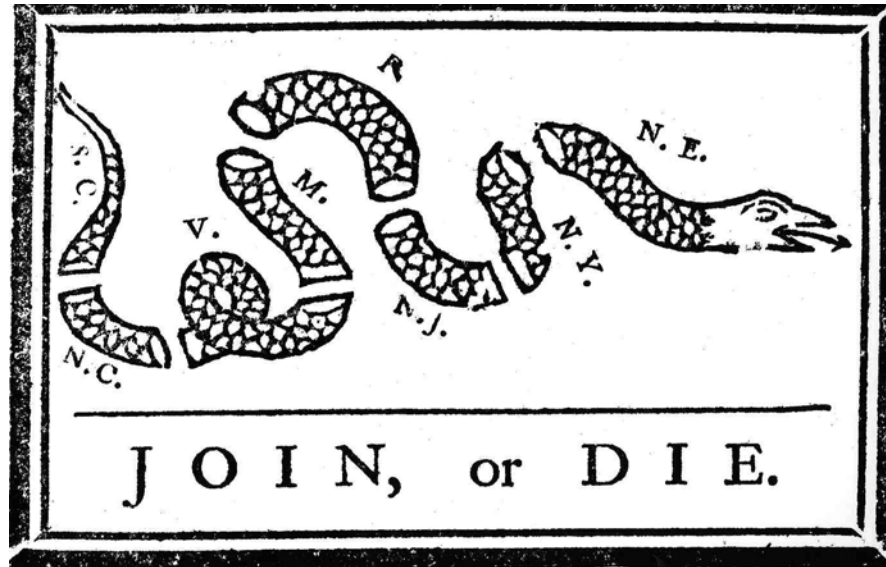
## French & Indian War

- \* Left strained relations between the British & American colonists
  - Colonists lost respect for British military power
  - Colonists felt the British did not share their values
- \* With the French gone, colonists wanted to expand on their own.



The Unfinished Nation  
- Strained Relations  
part 1 and 2 8:34

The Albany  
Plan of Union

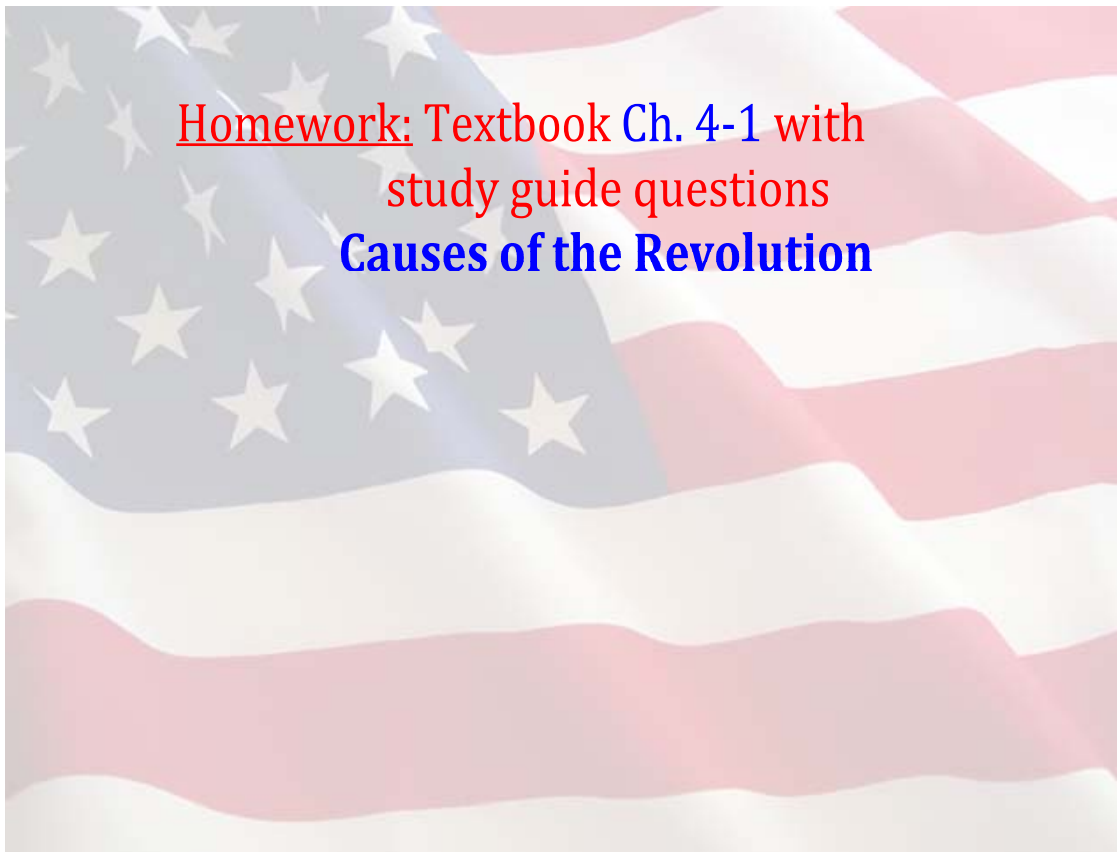


## The Road to Independence

### Albany Plan of Union

- \* Drafted by Benjamin Franklin
- \* Delegates from seven northern colonies met in Albany in June 1754 to:
  - a. strengthen ties with the Iroquois League
  - b. work out a unified war effort in the northern colonies
- \* Plan approved by delegates, but rejected by colonies
- \* A model for later government of the US





## Constitutional Foundations

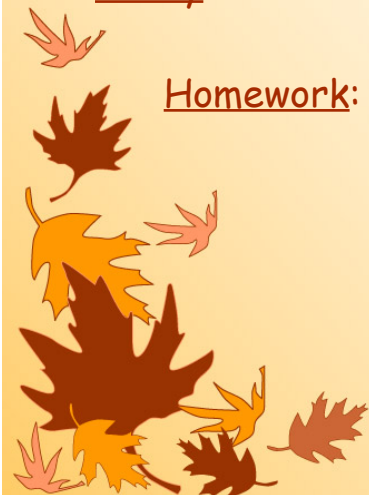
Day 3 & 4

Entrance task: Think: How does this song relate to the start of the American Revolution? (*One thing leads to another*, The Fixx)

Today: Causes of the Revolution

Homework: Ch. 4-2 Declaring Independence  
due Thursday

The Fixx



## Early colonists admired British government

- \* Protected colonies against French & Indians
- \* Due process before the law
- \* Trial by jury
- \* Freedom of the press
- \* No colonial taxes unless levied by their own representatives



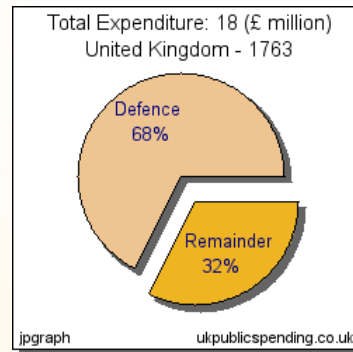
## Colonial governments

- \* Had governors appointed by the king & paid by colonies
- \* 2/3 of colonial men could vote (owned enough property)
- \* Believed the right to tax was their right, not Parliament's



## British financial problems

- \* British were among the most heavily taxed people in the world
- \* Imposing new taxes on the colonists was a way to raise revenue and pay for the French & Indian War



## Sugar Act - 1764

- \* Cut British molasses tax in half to encourage to pay the tax and not smuggle.
- \* Smugglers were tried in British courts where judges got 5% commission on fines



## Quartering Act - 1765

- \* Required colonies to provide housing and supplies for the British troops in America

Colonists complained but went along with the new taxes . . . for awhile!

Stamp Act - 1765 put a tax on almost all printed materials



## Colonial Response

1. Complaints
2. Boycotts
3. Violence

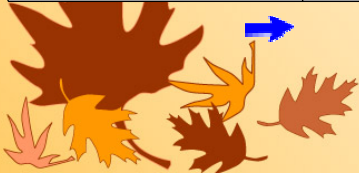
Page 4-5 in packet

What it was	What it meant	Why they objected	What they did
Sugar Act (1764)	It was designed to raise more money from the colonies. It cut the duty on foreign molasses to encourage Americans to pay tax rather than risk smuggling.	The enforce this policy the British navy was ordered to patrol the American coast. Smuggling cases were tried in British courts instead of in the colonies.	Complained but no action (some boycott)
Currency Act (1764)	It prevented colonies from printing their own currency (money)	A mandate on using only British currency caused more economic hardship in the colonies	Complained but no action
The Quartering Act (1765)	It required colonies to give housing and supplies for British troops remaining in America after the French & Indian War.	An issue of privacy for colonists, as well as an inconvenience. This was a requirement, not an option	Complained but no action



## 0 - Ch. 4 Complete.notebook

What it was	What it meant	Why they objected	What they did
Stamp Act (March 1765)	This place a tax on newspaper, legal documents, pamphlets and other printed material	Impacted almost all colonists, especially the most powerful people - printers, merchants, lawyers	Stamp Act Congress- "No taxation without representation." <i>Sons of Liberty</i> organized boycotts November 1765 - Stamp Act was repealed!!
Townshend Acts 1767	Placed taxes (duties) on some imports like lead, paper, tea, paints, glass	Colonists were angry about being taxed without their consent.	Boycotts and protests became violent - British sent troops to Boston . . . Boston Massacre and later Tea Party
Tea Act 1773	Eliminated tax on British tea, giving British merchants the benefit of selling tea a lower prices.	No other tea company could compete with the British prices	Boston Tea Party
Quebec Act (1774)	Intended to extend the boundaries of Quebec and give religious freedom to Canadian Catholics	Blocked colonial expansion & made Canadians buddies with Britain instead of colonists	Complained (in the Declaration of Indep.)



## The Boston Massacre (March 5, 1770)

British troops fired into a crowd protesting the Townshend Acts, killing five.

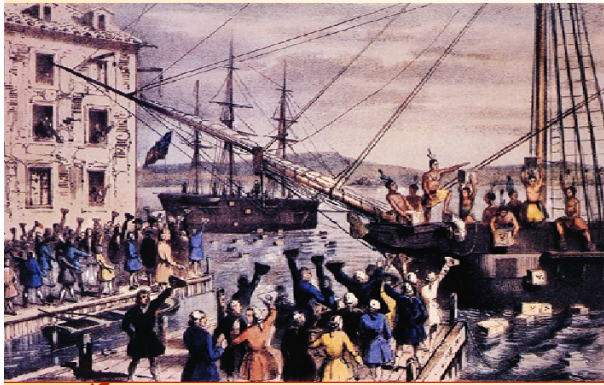
Townshend Acts were repealed, which ended the boycott of British goods except for the still-taxed tea.



The Story of Us 5:03



## Boston Tea Party (1773)



Colonists disguised as Indians boarded tea ships in Boston, broke the crates, and dumped the tea into the harbor in protest of the Tea Act, which had given the British East India Company the right to sell tea in America without paying taxes.

Parliament responded with the "Intolerable Acts."

- Accused Colonists could be tried in England
- American homes were forced to host British troops
- Boston Harbor was closed

## Intolerable Acts (Coercive Acts) 1774



### The Intolerable Acts

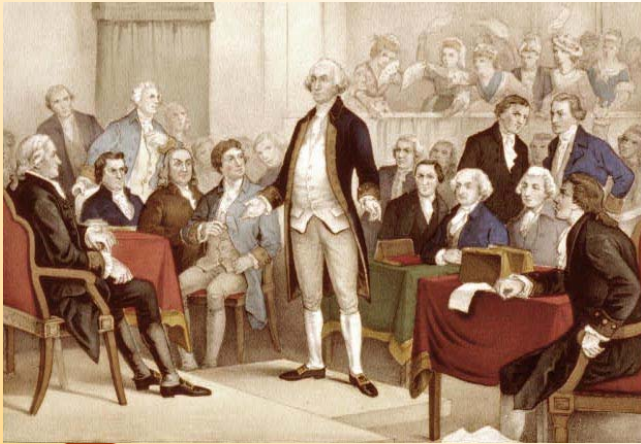
- 1) The **port** of **Boston** was closed until the colonists **paid** for the destroyed **tea**.
- 2) The royal governor could **ban** town **meetings**.
- 3) **British** officials accused of **crimes** would stand **trial** in Britain instead of in Massachusetts.
- 4) A new **Quartering** Act was passed allowing British **troops** to be quartered in unoccupied colonial **buildings** and homes.

A series of laws passed by Parliament to punish Boston and Massachusetts that the colonists found "intolerable"

- \* Extended Canada's boundary south to the Ohio River, stripping MA, CT, and VA of their claims to western lands
- \* Put British General Gage in as new governor of MA



## First Continental Congress - 1774



Colonial delegates:

- \* renewed boycott
- \* called for formation of militias
- \* appealed to King George III for reform
- \* King replied: "Colonies are in a state of rebellion, blows must decide."



## Battle of Lexington and Concord



The midnight ride of Paul Revere:  
"the British are coming!!"



- \* First military engagements of the war between Britain and the colonies.
- \* Militias succeeded in driving back the British forces

Video - Youtube 6:36



Homework: Ch. 4-2 **Declaring Independence** due Thursday

The Fixx

## Constitutional Foundations Day 5

Entrance task: Think: How does this song relate to your homework?

Today: Historical democratic events that influenced the revolution

Homework: None



## Loyalists and Patriots Disagree

### **Stereotype** of Loyalists:

- wealthy elite who sold out their fellow colonists to reap profits in the British government.
- Some **did** fit that stereotype, but others were ordinary farmers and artisans or minorities who feared oppression by the Patriot majority

### The Arguments



## Loyalists and Patriots Disagree

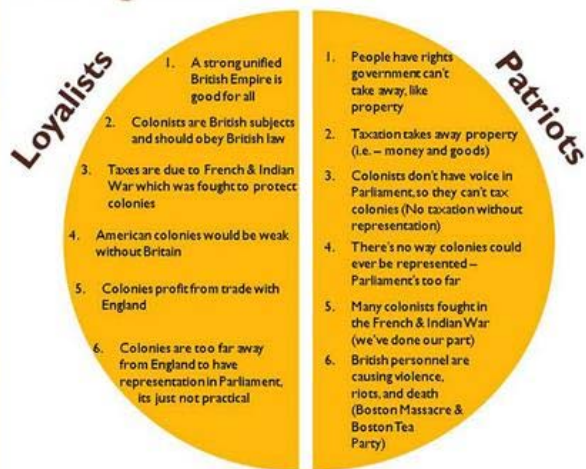
### The Arguments

#### **Loyalists:**

- Disliked taxes, oaths of allegiance, militia draft
- Resented Patriot shut-down of Loyalist newspapers and for their punishment of critics

**Slaves in Southern colonies sided with the British, who championed freedom**

**The British offered MORE freedom than the Patriots**



# Loyalists and Patriots Disagree

## The Arguments

### Patriots

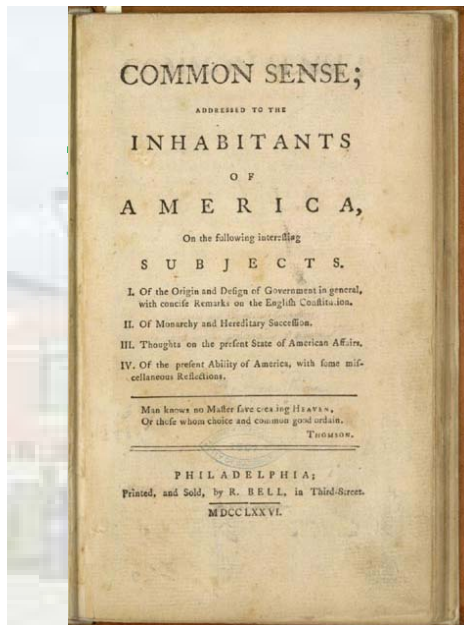
- Had a *deflated* attitude regarding British rule.
- Believed in enlightenment ideas of natural rights and consent of the governed
- Parliament was too far away to ever represent the colonists

### Loyalists

1. A strong unified British Empire is good for all
2. Colonists are British subjects and should obey British law
3. Taxes are due to French & Indian War which was fought to protect colonies
4. American colonies would be weak without Britain
5. Colonies profit from trade with England
6. Colonies are too far away from England to have representation in Parliament, its just not practical

### Patriots

1. People have rights government can't take away, like property
2. Taxation takes away property (i.e. - money and goods)
3. Colonists don't have voice in Parliament, so they can't tax colonies (No taxation without representation)
4. There's no way colonies could ever be represented - Parliament's too far
5. Many colonists fought in the French & Indian War (we've done our part)
6. British personnel are causing violence, riots, and death (Boston Massacre & Boston Tea Party)



## Thomas Paine's *Common Sense*

- \* Published as the 2nd Continental Congress was meeting in Philadelphia in May 1775
- \* Some delegates wanted independence & some wanted compromise
- \* **Olive Branch Petition** expressing colonial loyalty to the king and their desire for peace was rejected



Some people among us seem alarmed at the *name of Independence*, while they support . . . *the spirit of it*. Have we not made laws, levied war, and regulated commerce, not only without his Majesty's intervention, but absolutely against his will? are we not as criminal in the eyes of Britain for what we have done as for what we can yet do? If we institute any government at all, for heaven's sake let it be the best government we can. We shall as certainly hang for a bad as a good one . . . If, therefore, we incur the danger, let us not decline the reward."

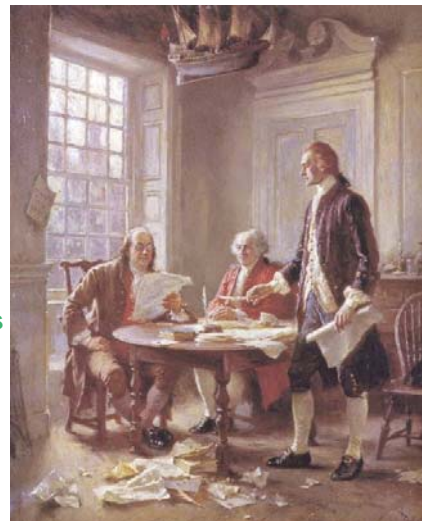
- letter from a member of the Virginia Convention, February 10, 1775

## Declaration of Independence

July 4, 1776



Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman & Robert Livingston were appointed the task of preparing the statement of reasons for separating from Britain.



**In Congress, July 4, 1776  
The Unanimous Declaration of the Thirteen  
United States of America.**

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient cause . . .



# Historical influences

Magna Carta  
Glorious Revolution  
English Bill of Rights  
Mayflower Compact  
House of Burgesses  
Albany Plan of Union  
Declaration of Independence  
Articles of Confederation

## Magna Carta

King John, king of England from 1199 – 1216, was a mean-spirited man who raised taxes to an all-time high to finance his wars. His nobles revolted and in 1215, they forced King John to agree to a most celebrated document in English history, the **Magna Carta** (Great Charter). This document guaranteed certain basic political rights, and in so doing, limited the king's powers! Some of these rights included no taxation without representation, a jury trial, and the protection of the law. Even though originally the Magna Carta applied only to the nobles, in later years the English people of all classes argued that certain clauses in the Magna Carta applied to every citizen. The Magna Carta guaranteed what are now considered basic legal rights both in England and in the U.S.

## Glorious Revolution

In 1688, King James II was overthrown in what is called a "Glorious Revolution" after members of Parliament invited William and Mary to take over the throne to guarantee Protestantism in Great Britain. (This is also referred to as the "Bloodless Revolution"). At their coronation, William and Mary vowed to "govern the people of this kingdom of England.....according to the statutes in Parliament agreed on and the laws and customs of the same." In other words, William and Mary recognized Parliament as their **partner** in governing England, making England **not an absolute monarchy but a constitutional monarchy**, where laws limited the ruler's power.

## English Bill of Rights

After the Glorious Revolution, to make clear the limits of royal power, Parliament drafted a **Bill of Rights** in 1689 and William and Mary officially consented to these and other limits on their royal power. This document listed many things that a ruler could not do:

- o No suspending of Parliament's laws
- o No levying of taxes without a specific grant from Parliament
- o No interfering with freedom of speech in Parliament
- o No penalty for a citizen who petitions the king about grievances

**This law is the first attempt to outline the basic rights to which all citizens were entitled.**

## 0 - Ch. 4 Complete.notebook

### Mayflower Compact

In 1620, about 100 Pilgrims sailed to New England on the *Mayflower* in hopes of making a new home in North America where they would be free to worship as they wanted. Concerned that some members might leave to form their own colonies, William Bradford and others drafted the compact (agreement) to form a political body and the members pledged (promised) to abide by (follow) any laws that would be established. This document kept the Pilgrims together and showed that **they expected to decide for themselves how they would be governed**. Later, this belief in self-government would become one of the founding principles of the United States.

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### House of Burgesses

Where did the idea of "representative government" in the new colonies come from? Virginia, a royal colony, is appointed a royal governor to run the colony. But more importantly, a legislative body, or **lawmaking assembly**, is also created. And these representatives become known as the **House of Burgesses**. This is the first instance of limited self-government in the English.

### Albany Plan of Union

Beginning in the late 1600's, Britain and France were often at war. The last of the conflicts, the French and Indian War, started in the colonies and spread to Europe. Benjamin Franklin, in 1754, proposed a plan which called for the 13 British colonies to unite in a military union to combat Indian hostilities. But also, he had a greater vision. Just as the Iroquois nation had strengthened itself by forming the Iroquois League, Franklin also thought the British colonies would benefit from greater unity. The plan called for each colony to send representatives to a new council which would appoint a president – general. The council would have the power to make war, raise arms, build forts and levy taxes. **Although the plan was eventually rejected, it represented the first attempt to unite the 13 colonies into a union.**

### Declaration of Independence

July 4, 1776

This document, approved by the Continental Congress, announced the separation of 13 North American British colonies from Britain. The armed conflict during the American Revolution gradually convinced the colonists that separation from Britain was essential. Thomas Jefferson was persuaded to write the draft which was presented on June 28 with few changes. The document began with a *declaration on individual rights*, and then listed the *acts of tyranny* (abuse) by George III that was the *justification for independence*. After debate and some changes (for example, a condemnation of slavery was deleted), the declaration was approved on July 4, 1776 as "The Unanimous Declaration of the Thirteen United States of America." Congress' president, John Hancock, printed and read it aloud to a crowd assembled outside, then engrossed (written in script) on parchment, and signed by the 56 delegates.

### Articles of Confederation

This was the early U.S. Constitution (1781-1789) that bridged the initial government by the First Continental Congress and the federal government provided under the U.S. Constitution of the 1787.

The A of C provided for a **confederation** (loose association) of sovereign states (independent of all others) and gave Congress power to:

- o regulate foreign affairs
- o regulate war
- o regulate the postal service
- o control Indian affairs
- o borrow money

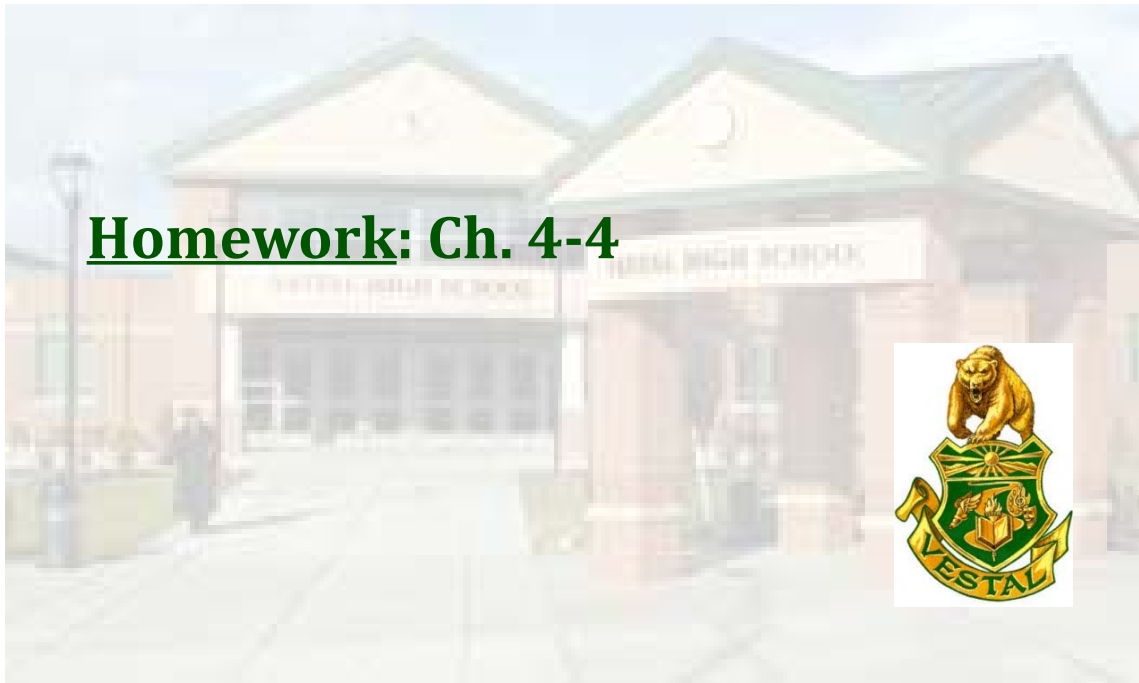
## 0 - Ch. 4 Complete.notebook

Event	Ranking	Description of Event	How did this event shape our government?
Magna Carta		Limited king's power King can't tax w/o consent Trial by jury	No taxes w/o consent Trial by jury Limited government
Glorious Revolution		King ousted for not following laws	May overthrow unjust government
English Bill of Rights		Limited royal power, protected individual rights	Bill of Rights - individual rights
Mayflower Compact		Pilgrims agreed to live by laws they created	Self-government
House of Burgesses		Legislative body created to make laws in Virginia colony	Power to govern
Albany Plan of Union		Plan for colonies to unite (failed)	Colonies would unite to form a single nation
Declaration of Independence		Why colonies were breaking from British control	Unalienable rights Consent of the governed
Articles of Confederation		Formed a loose confederation of states; protected individual rights	States were joined into one nation with protected individual rights

Page 10  
in packet

### Constitutional Foundations Wall

1.			
2.	3.	4.	
5.	6.	7.	8.
ROUSSEAU	LOCKE	VOLTAIRE	MONTESQUIEU



## Constitutional Foundations - day 6

Entrance task: Think: Who had the best argument for how colonists should interact with the British: the Loyalists or the Patriots?

Today: Taking sides and the impact of the Revolutionary War on Women, Native Americans, and African Americans

Homework: None, it's Friday!



## Loyalists and Patriots

### **Stereotype** of Loyalists:

- wealthy elite who sold out their fellow colonists to reap profits in the British government.
- Some **did** fit that stereotype, but others were ordinary farmers and artisans or minorities who feared oppression by the Patriot majority



## The Arguments

### Loyalists

1. A strong unified British Empire is good for all
2. Colonists are British subjects and should obey British law
3. Taxes are due to French & Indian War which was fought to protect colonies
4. American colonies would be weak without Britain
5. Colonies profit from trade with England
6. Colonies are too far away from England to have representation in Parliament, its just not practical

### **Patriots men of modest prosperity**

- \* **gained political rights and office**
- \* **benefited economically from the westward expansion**

**Loyalists were not welcome in the new republic and suffered the consequences of opposing the Patriots**



## Choosing sides . . . not an easy decision Native Americans



## African Americans & the American Revolution

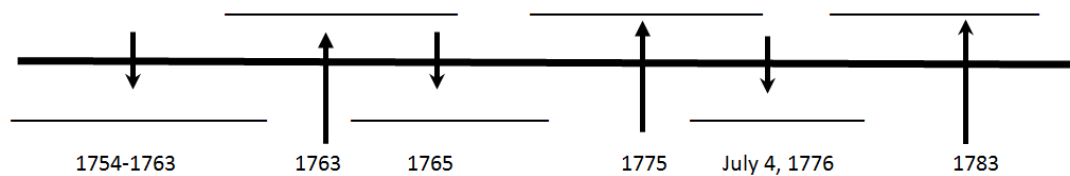




## Women in the American Revolution



## Events of the American Revolution



1. Why did many colonists support the British?
2. What caused the tensions between Britain and the colonies?
  - What might have happened if taxes were never imposed?
3. Whose final decision led to war: Britain's or the colonies?
4. How did the fighting forces differ?



### **Native Americans**

1. Why did some side with the colonists and others with the British?
2. What effect did the war have on the Iroquois?
3. How did the British defeat affect the natives?

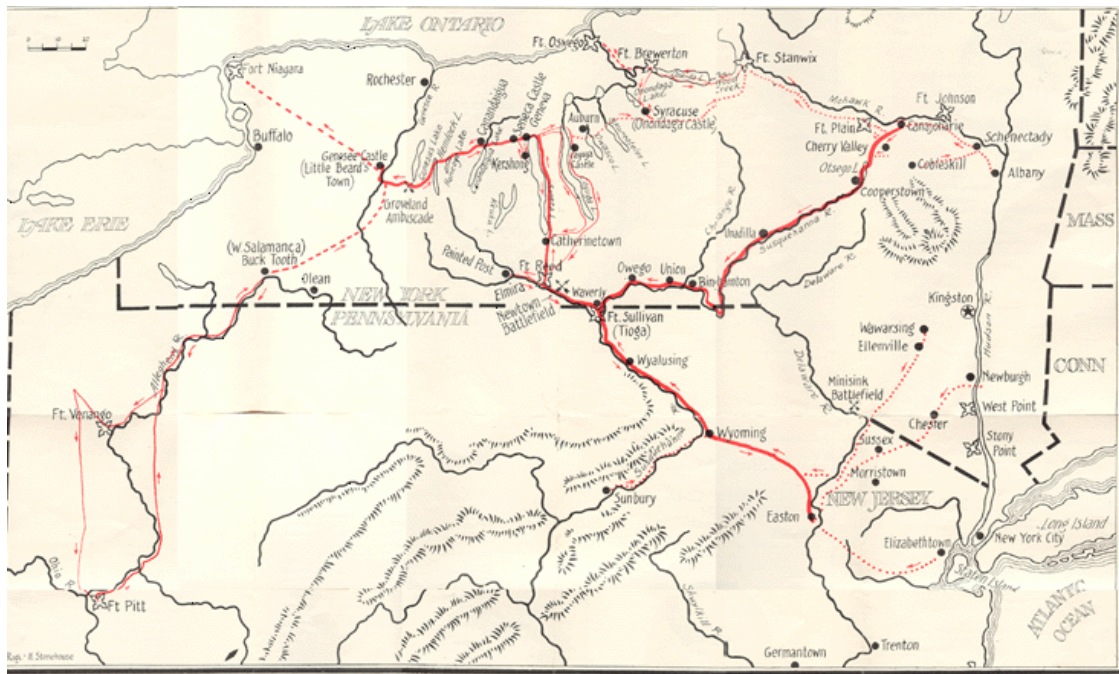
### **African Americans**

1. How did slavery clash with American ideals of liberty and justice?
2. Why did southern colonists oppose black participation in the war?
3. How did the British play on these fears?
4. How did the war affect black Africans in the colonies?





## 0 - Ch. 4 Complete.notebook



Sullivan's March  
1779

Homework: None

